

SENATE BILL 3653

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 50,
relative to verifying the employment eligibility of a
person seeking employment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, is amended by inserting sections 2 and 3 as a new, appropriately designated part thereto.

SECTION 2. As used in this part, unless the context otherwise requires:

(1) "Basic pilot program" means the federal electronic work authorization verification service provided by the United States department of homeland security pursuant to the federal Basic Pilot Program Extension and Expansion Act of 2003;

(2) "Employee" means an individual performing or applying for work or service of any kind or character for hire;

(3) "Employer" means a person employing or seeking to employ any individual for hire and includes any governmental entity including the state of Tennessee and all political subdivisions of the state;

(4) "Employment" means the act of employing or the state of being employed, engaged, or hired;

(5) "Governmental entity" means any of the following of the state or any local government:

(A) A department;

(B) A division;

(C) A commission;

(D) A council;

- (E) A board;
- (F) A bureau;
- (G) A committee;
- (H) An institution;
- (I) An authority;
- (J) The general assembly;
- (K) The judiciary;
- (L) A government corporation; or
- (M) Other establishment, official, or employee.

SECTION 3. On and after August 1, 2010, any employer in this state, including any governmental entity, prior to hiring any employee shall verify the employment eligibility of the employee by participating in the basic pilot program. Each such employer shall maintain a copy of documentation verifying the eligibility of the applicant for a period of no less than three (3) years.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.